

REMARKS

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Office Action mailed January 16, 2003. Claims 1-27 were rejected. The claims have been amended to address the concerns raised by the Examiner.

Claims 1-27 were originally presented. Claims 1-13, 15-20, and 23-26 remain in the application. Claims 14, 21, 22, and 27 have been canceled without prejudice. Claims 1, 4, 9, 18, 24, and 28 have been amended. The content of the now canceled claim 21 has been added to the amended claim 1. The content of the now canceled claims 14, 22, and 27 have been added to the amended claims 18 and 24. Claims 15, 16, and 17 have been represented as claims 28, 29, and 30 respectively.

Claim Rejections - 35 U.S.C. § 102

Claims 1-27 (including independent claims 1, 18, and 24) were rejected under 35 U.S.C. § 102(b) as being anticipated by Jukl, et al, US Patent No. 5,786,827.

In order to most succinctly explain why the claims presented herein are allowable, Applicant will direct the following remarks primarily to the originally presented independent claims 1, 18, and 24 with the understanding that once the independent claims are allowable, all claims depending therefrom are allowable.

The Jukl reference fails to disclose an electrical marking device to provide a display on a storage array unit displaying pre-selected information comprising information about the subject matter and name of the content of the data stored electrically in the storage array unit. The Jukl reference requires the optical display to be a copy of the data stored electrically in the chip. Indeed, the object of the Jukl design is to enable stored information to be read either electrically, or optically (See Col 2 L. 45-55, Col 7 L. 41-46, Col 9 L. 30-35). In order to accomplish this, the information stored electrically must be identical to the information stored optically.

In contrast, independent claim 1, as amended, sets forth:

1. An electrically addressable device for recording, addressing and reading of data, comprising:
 - a storage array unit having multiple layers of data storage medium, each of said layers being mounted on a substrate; ~~and~~
 - an electrical marking device associated with said at least one of the layers of storage medium of the storage array unit to provide a display indicating pre-selected information; and
 - the pre-selected information comprising information about the subject matter and name of the content of the data.

The information displayed according to claim 1 is information comprising the subject matter and name of the content of the data. This displayed data is not identical to the electrically stored information in the chip since it can include such items as the name of the content of the data and information about the subject matter. The Jukl reference teaches away from using a display on the chip to show information about the subject matter and name of the content of the data, since it requires that the optical data be identical to the electrical data. Therefore, claim 1, as currently amended, is not anticipated by Jukl.

Claims 18 and 24 have been amended to include the subject matter previously included in dependent claims 14, 22, and 27. As amended, claims 18 and 24 require an addressing device for storing data on the storage array unit sequentially across each layer of the storage array unit, wherein the display indicates the amount of storage array unit that has been recorded with data. The Jukl reference teaches away from using a display on a chip to show the amount of the chip that has been recorded with data. Instead, as discussed above, Jukl teaches optically displaying a copy of the data stored electrically in the chip. The data is not stored sequentially, thus disabling the Jukl display from showing the amount of the chip that has been recorded with data. Therefore, claims 18 and 24 are not anticipated by Jukl.

The remaining claims are dependent on claims 1, 18, and 24, and are therefore allowable subject matter as soon as claims 1, 18 and 24 are allowable. Other amendments were made to correct typographical errors and problems with form.

Therefore, Applicant respectfully submits that claims 1-13, 15-20, 23-26, and 28-30 are allowable, and urges the Examiner to withdraw the rejection.

CONCLUSION

In light of the above, Applicant respectfully submits that pending claims 1-13, 15-20, 23-26, and 28-30 are now in condition for allowance. Therefore, Applicant requests that the rejections and objections be withdrawn, and that the claims be allowed and passed to issue. If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call Vaughn North at (801) 566-6633 so that such matters may be resolved as expeditiously as possible.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Amendment to Deposit Account No. 08-2025.

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Respectfully submitted,



Vaughn W. North
Registration No. 27,930

THORPE NORTH & WESTERN, LLP
P.O. Box 1219
Sandy, Utah 84091-1219
Telephone: (801) 566-6633